

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS - 6

CIVIL MINUTES - GENERAL

Case No.	CV 13-6104 ABC (AGKx)	Date	August 23, 2013
Title	<u>Ray Consulting Group Ventures v. Rosa Hilda Renteria et al.</u>		

Present: The Honorable	Audrey B. Collins, District Judge	
Angela Bridges	None Present	
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:	
None Present	None Present	

Proceedings: ORDER SUMMARILY REMANDING CASE TO STATE COURT
(In Chambers)

On August 20, 2013, Defendant Rose Renteria (“Defendant”) removed this action to this Court from Los Angeles County Superior Court, North Valley Central District/Chatsworth Courthouse. Upon review of the Notice of Removal and the Complaint attached thereto, the Court finds that it lacks subject matter jurisdiction over this case.

Defendant does not allege facts supporting either diversity or federal question jurisdiction. The underlying Complaint asserts a routine unlawful detainer action and states that the amount in controversy does not exceed \$10,000. Thus, the diversity jurisdiction threshold of more than \$75,000 in controversy is not met. See 28 U.S.C. §§ 1332, 1441(b). Moreover, Defendant cannot remove based upon diversity jurisdiction because she resides in the forum state. 28 U.S.C. § 1441(b).

Nor does Plaintiff’s unlawful detainer action raise any federal legal question. See 28 U.S.C. §§ 1331, 1441(b). Although Defendant’s Notice of Removal makes passing reference to various federal statutes and to the Fourth, Fifth, and Fourteenth Amendments to the U.S. Constitution, Plaintiff’s unlawful detainer action does not arise under any of these laws. As such, this Court has no ground for exercising jurisdiction over this matter.

Accordingly, IT IS ORDERED that (1) this matter be REMANDED to the Superior Court of California, for lack of subject matter jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) that the Clerk send a certified copy of this Order to the state court; and (3) that the Clerk serve copies of this Order on the parties.

IT IS SO ORDERED.

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